

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
104

CRM-M-15670 of 2020
Date of Decision: 18.6.2020

Nasib Chand

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.S.K.Arya Advocate, for the petitioner
Mr.Bhupinder Beniwal, AAG, Punjab
Mr.G.S.Nagra, Advocate,
for the complainant

...

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 Pandemic.

By this petition, the petitioner seeks the concession of anticipatory bail, upon FIR no.53, dated 29.5.2020, having been registered against him at Police Station Mullanpur, District SAS Nagar, Mohali, for the alleged the commission of offences punishable under Sections 323/341/342/506/148/149 of the IPC (with Sections 365 and 325 of the IPC added later on).

Though learned counsel for the petitioner has very vehemently argued that the petitioner has been only dragged in because of a civil dispute between the parties, in support of which he points to the legal notice got issued on behalf of one Mohinder Pal against the petitioner and two others regarding an agreement of sale allegedly entered into between the parties thereto, and has further submitted that no offence punishable under

Section 365 of the IPC is made out against the petitioner because it was not he who took away the complainant on the motorcycle even as per the allegations in the FIR, I do not agree with the contentions, in view of the fact that as per the allegations in the FIR, the petitioner is the person who is stated to have dragged out the complainant from the car, after which he is stated to have been inflicted injuries by all the persons alleged to be present there (including the petitioner), and thereafter he was taken away on a motorcycle by two persons, with the provisions of Sections 148 and 149 of the IPC therefore also having been made out in the FIR.

Though no notice has been issued by this court, Mr.G.S.Nagra, Advocate, appears for the complainant, and Mr.Bhupinder Beniwal, learned AAG, Punjab, having already advance notice of the petition, appears for the State, with both of them reiterating that in view of the nature of the allegations made in the FIR, the petitioner does not deserve the concession of anticipatory bail.

Consequently, without making any comment on the actual merits of the case, which naturally would be a matter of further investigation (if any) by the investigating agency, and evidence led before the trial court when the matter goes to trial, as regards this petition seeking the concession of anticipatory bail, I see no reason to entertain it in the aforesaid circumstances and consequently, it is dismissed.

18.6.2020

pk/nitin

Whether speaking/reasoned

Whether Reportable

**(AMOL RATTAN SINGH)
JUDGE**

Yes/No

No/Yes